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General and complete disarmament: implementation of the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction

Poland: revised draft resolution

Implementation of the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction

The General Assembly,

Recalling its previous resolutions on the subject of chemical weapons, in particular resolution 70/41 of 7 December 2015,

Determined to achieve the effective prohibition of the development, production, acquisition, transfer, stockpiling and use of chemical weapons and their destruction,

Re-emphasizing its unequivocal support for the decision of the Director General of the Organization for the Prohibition of Chemical Weapons to continue the mission to establish the facts surrounding the allegations of the use of toxic chemicals, reportedly chlorine, for hostile purposes in the Syrian Arab Republic, while stressing that the safety and security of mission personnel remains the top priority,

Recalling that, pursuant to Security Council resolution 2235 (2015) of 7 August 2015, the Joint Investigative Mechanism of the Organization for the Prohibition of Chemical Weapons and the United Nations was established to identify to the greatest extent feasible individuals, entities, groups or Governments that were perpetrators, organizers, sponsors or otherwise involved in the use of chemicals as weapons, including chlorine or any other toxic chemical, in the Syrian Arab Republic, where the fact-finding mission of the Organization for the Prohibition of Chemical Weapons determined that a specific incident in the Syrian Arab Republic involved or likely involved the use of chemicals as weapons,

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Reaffirming the importance of the outcome of the Third Special Session of the Conference of the States Parties to Review the Operation of the Chemical Weapons Convention, held in The Hague from 8 to 19 April 2013 (the Third Review Conference), including its consensus final report, in which the Conference addressed all aspects of the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction[1] and made important recommendations on its continued implementation,

Emphasizing that the Third Review Conference welcomed the fact that the Convention is a unique multilateral agreement banning an entire category of weapons of mass destruction in a non-discriminatory and verifiable manner under strict and effective international control and noted with satisfaction that the Convention continues to be a remarkable success and an example of effective multilateralism,

Convinced that the Convention, 19 years after its entry into force, has reinforced its role as the international norm against chemical weapons, and that it constitutes a major contribution to:

(a) International peace and security,

(b) Eliminating chemical weapons and preventing their re-emergence,

(c) The ultimate objective of general and complete disarmament under strict and effective international control,

(d) Excluding completely, for the sake of all mankind, the possibility of the use of chemical weapons,

(e) Promoting international cooperation and exchange in scientific and technical information in the field of chemical activities among States parties for peaceful purposes in order to enhance the economic and technological development of all States parties,

1. *Condemns in the strongest possible terms* the use of chemical weapons by anyone under any circumstances, emphasizing that any use of chemical weapons anywhere, at any time, by anyone, under any circumstances is unacceptable and is and would be a violation of international law, and expressing its strong conviction that those individuals responsible for the use of chemical weapons must and should be held accountable;

2. *Also condemns in the strongest possible terms* the use of chemical weapons as reported in the reports of the Joint Investigative Mechanism of the Organization for the Prohibition of Chemical Weapons and the United Nations of 24 August 2016[2] and 21 October 2016,[3] which concluded that there was sufficient information to determine that the Syrian Arab Armed Forces were responsible for the attacks which released toxic substances in Talmenes, Syrian Arab Republic, on 21 April 2014, in Sarmin, Syrian Arab Republic, on 16 March 2015, and in Qmenas, Syrian Arab Republic, also on 16 March 2015, and that the so-called "Islamic State in Iraq and the Levant" used sulphur mustard in Marea, Syrian Arab Republic, on

[1] United Nations, *Treaty Series*, vol. 1974, No. 33757.
[2] See S/2016/738/Rev.1.
[3] See S/2016/888.

21 August 2015, and demands that its perpetrators immediately desist from any further use of chemical weapons;

3. *Emphasizes* that the universality of the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction[1] is essential to achieving its object and purpose and to enhancing the security of States parties, as well as to international peace and security, underlines the fact that the objectives of the Convention will not be fully realized as long as there remains even a single State not party to the Convention that could possess or acquire such weapons, and calls upon all States that have not yet done so to become parties to the Convention without delay;

4. *Underlines* the fact that the full, effective and non-discriminatory implementation of all articles of the Convention makes a major contribution to international peace and security through the elimination of existing stockpiles of chemical weapons and the prohibition of their acquisition and use, and provides for assistance and protection in the event of use or threat of use of chemical weapons and for international cooperation for peaceful purposes in the field of chemical activities;

5. *Notes* the impact of scientific and technological progress on the effective implementation of the Convention and the importance for the Organization for the Prohibition of Chemical Weapons and its policymaking organs of taking due account of such developments;

6. *Reaffirms* that the obligation of the States parties to complete the destruction of chemical weapons stockpiles and the destruction or conversion of chemical weapons production facilities in accordance with the provisions of the Convention and the Annex on Implementation and Verification (Verification Annex) and under the verification of the Technical Secretariat of the Organization for the Prohibition of Chemical Weapons is essential for the realization of the object and purpose of the Convention;

7. *Stresses* the importance to the Convention that all possessors of chemical weapons, chemical weapons production facilities or chemical weapons development facilities, including previously declared possessor States, should be among the States parties to the Convention, and welcomes progress to that end;

8. *Recalls* that the Third Special Session of the Conference of the States Parties to Review the Operation of the Chemical Weapons Convention expressed concern regarding the statement made by the Director General of the Organization for the Prohibition of Chemical Weapons in his report to the Executive Council of the Organization at its sixty-eighth session, provided in accordance with paragraph 2 of decision C-16/DEC.11 of 1 December 2011 adopted by the Conference of the States Parties at its sixteenth session, that three possessor States parties, namely, Libya, the Russian Federation and the United States of America, had been unable to fully meet the final extended deadline of 29 April 2012 for the destruction of their chemical weapons stockpiles, and also expressed determination that the destruction of all categories of chemical weapons should be completed in the shortest time possible in accordance with the provisions of the Convention and the Verification Annex, and with the full application of the relevant decisions that have been taken;

9. *Welcomes* the ongoing implementation of Executive Council decisions EC-M-50/DEC.1 of 23 November 2015, EC-M-51/DEC.1 of 24 February 2016, EC-M-52/DEC.2 of 27 July 2016 and EC-M-53/DEC.1 and EC-M-53-DEC.2 of 26 August 2016 related to the detailed requirements for the destruction of Libya's remaining category 2 chemical weapons and the destruction of these weapons outside the territory of Libya;

10. *Notes with concern* that, along with the threat of the possible production, acquisition and use of chemical weapons by States, the international community also faces the danger of the production, acquisition and use of chemical weapons by non-State actors, including terrorists, concerns which have highlighted the necessity of achieving universal adherence to the Convention, as well as the high level of readiness of the Organization for the Prohibition of Chemical Weapons, and stresses that the full and effective implementation of all provisions of the Convention, including those on national implementation (article VII) and assistance and protection (article X), constitutes an important contribution to the efforts of the United Nations in the global fight against terrorism in all its forms and manifestations;

11. *Notes* that the effective application of the verification system builds confidence in compliance with the Convention by States parties;

12. *Stresses* the importance of the Organization for the Prohibition of Chemical Weapons in verifying compliance with the provisions of the Convention as well as in promoting the timely and efficient accomplishment of all its objectives;

13. *Underscores* the concern expressed by the Executive Council in its decision EC-81/DEC.4 of 23 March 2016 regarding the report of the Director General (EC-81/HP/DG.1) indicating the gaps, inconsistencies and discrepancies that remain with respect to chemical weapons facilities, activities, munitions and chemical materials and concluding that the Technical Secretariat is unable at present to verify fully that the declaration and related submissions of the Syrian Arab Republic are accurate and complete, as required by the Convention and Executive Council decision EC-M-33/DEC.1 of 27 September 2013, and also underscores the importance of such full verification;

14. *Urges* all States parties to the Convention to meet in full and on time their obligations under the Convention and to support the Organization for the Prohibition of Chemical Weapons in its implementation activities;

15. *Welcomes* progress made in the national implementation of article VII obligations, commends the States parties and the Technical Secretariat for assisting other States parties, on request, with the implementation of the follow-up to the plan of action regarding article VII obligations, and urges States parties that have not fulfilled their obligations under article VII to do so without further delay, in accordance with their constitutional processes;

16. *Emphasizes* the continuing relevance and importance of the provisions of article X of the Convention, welcomes the activities of the Organization for the Prohibition of Chemical Weapons in relation to assistance and protection against chemical weapons, supports further efforts by both States parties and the Technical Secretariat to promote a high level of readiness to respond to chemical weapons threats as articulated in article X, and welcomes the effectiveness and efficiency of

the increased focus on making full use of regional and subregional capacities and expertise, including taking advantage of established training centres;

17. *Reaffirms* that the provisions of the Convention shall be implemented in a manner that avoids hampering the economic or technological development of States parties and international cooperation in the field of chemical activities for purposes not prohibited under the Convention, including the international exchange of scientific and technical information, and chemicals and equipment for the production, processing or use of chemicals for purposes not prohibited under the Convention;

18. *Emphasizes* the importance of the provisions of article XI of the Convention relating to the economic and technological development of States parties, recalls that the full, effective and non-discriminatory implementation of those provisions contributes to universality, and reaffirms the undertaking of the States parties to foster international cooperation for peaceful purposes in the field of chemical activities of the States parties and the importance of that cooperation and its contribution to the promotion of the Convention as a whole;

19. *Notes with appreciation* the ongoing work of the Organization for the Prohibition of Chemical Weapons to achieve the object and purpose of the Convention, to ensure the full implementation of its provisions, including those for international verification of compliance with it, and to provide a forum for consultation and cooperation among States parties;

20. *Welcomes* the cooperation between the United Nations and the Organization for the Prohibition of Chemical Weapons within the framework of the relationship agreement between the United Nations and the Organization,[4] in accordance with the provisions of the Convention;

21. *Decides* to include in the provisional agenda of its seventy-second session, under the item entitled "General and complete disarmament", the sub-item entitled "Implementation of the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction".

[4] United Nations, *Treaty Series*, vol. 2160, No. 1240.